

RABBI MOSES NAHMANIDES, *Hiddushim al massekhet gittin* [Novellae on Tractate *Gittin*]

In Hebrew and Aramaic, manuscript on paper

Aragon or Provence, 1475-1525

125 + vi folios on paper (watermarks similar to the royal arms of Aragon [lozenge shaped] and to Briquet 11155, "main," Narbonne, 1481-1490), modern foliation in pencil in Arabic numerals in upper-outer corners of rectos, first or final page of most quires marked in some way in the upper or lower margins, incomplete (collation: [i⁶ lacking] ii⁷ [ii^{4,12} lacking] iii-viii¹² ix¹⁰ x-xii¹² [xiii² lacking]), mysterious blanks left on ff. 4v, 17r-v without loss of text, stub present between ff. 19-20 without loss of text, (decorated) catchword in lower margin of each verso, sometimes cropped, ruled in blind (justification approximately 160 x 100 mm), single-column text written in elegant Sephardic square (some headings and incipits) and semi-cursive (text body) scripts in various brown inks in 26 lines to a page, justification of lines via dilation or contraction of final letters, insertion of space fillers, use of anticipatory letters, and abbreviation, indications by scribe of his name on ff. 18v, 31, strikethroughs, corrections, and marginalia by primary and secondary hands, sometimes cropped (though see f. 62v), enlarged headings and incipits (outlined on f. 75), diagrams on ff. 3, 4r-v, some letters flourished, probably lacking about 13 folios, scattered staining, dampstaining throughout (see, especially, ff. 113v, 121v-125v), (mostly marginal) worming throughout, more significant toward rear of volume, dog-earing, intermittent oxidation of ink, at times causing burn holes (see, e.g., ff. 10-16, 101, 107-108), short tear affecting several words on f. 1 near gutter at head, small puncture affecting a few words on f. 2 near gutter at head, gutters of ff. 4-7 strengthened, small hole affecting a few words on f. 83. Sixteenth-century blind-tooled binding of brown morocco over flexible boards with gilt center- and cornerpieces, both boards apparently having suffered rodent and worm damage (lower board especially so), spine rebaked with (heavily worn) calf, upper board starting to separate from text-block, early paper flyleaves and pastedowns matching condition of binding, paper tickets with Montefiore library shelfmark adhering to spine and to pastedown of upper board. Dimensions 202 x 147 mm.

Nahmanides's novel insights into the Babylonian Talmud Tractate *Gittin*, on the laws of Jewish divorce, have been a staple of advanced Talmudic education for centuries. Despite this, the work survives in only about a dozen known substantial copies, most of them dating from the sixteenth century or later. The present codex, which begins with Nahmanides's novellae to *Gittin* 5r and concludes with those to *Gittin* 86v, is one of only three manuscripts of the commentary recorded as held privately (see Jeruchem, 1942 and Hishrik, 1995). Assuming the volume was in fact created in Aragon before the expulsion of its Jews in 1492, it bears elegant witness to a lively intellectual culture on the eve of its dispersal.

PROVENANCE

1. While no colophon has been preserved, it is possible to approximately localize and date this manuscript on papyrological and paleographical grounds to Northern Spain (Aragon) or Southern France (Provence) of the late fifteenth or early sixteenth centuries. (Although the National Library of Israel suggests a date from as late as the seventeenth century, this seems unlikely given the watermark evidence.) The scribe, Judah, marked his name with dots where it appears in the text on ff. 18v, 31.

2. The volume eventually came into the possession of Solomon Joachim Halberstam (1832-1900), a wealthy Polish Jewish scholar and bibliophile. Halberstam inscribed the manuscript's shelfmark (55) in pen on the pastedown of the upper board and in the upper margin of the first leaf.
3. The Judith Lady Montefiore College in Ramsgate, England, purchased 412 manuscripts from Halberstam's collection, including the present one. The transaction was carried out by Rabbi Moses Gaster (1856-1939), principal of the college between 1891 and 1896. The library stamp of the institution, known in Hebrew as Yeshivat Ohel Mosheh vi-Yehudit, appears on f. 1 (though not, as might be expected, on f. 125v). In addition, the spine and pastedown of the upper board bear paper tickets with the book's Montefiore shelfmark (81).
4. Between 1898 and 2001, most of the Montefiore manuscripts, including ours, were placed on permanent deposit at Jews' College in London. In 2001, they were returned to the trustees of the Montefiore Endowment Committee of the Spanish and Portuguese Congregation in London.
1. New York, Sotheby's, *Important Hebrew Manuscripts from the Montefiore Endowment*, October 27-28, 2004, lot 74.

TEXT

ff. 1-16, commentary on chapter 1, incipit, "leit hilkheta hakhi de-ha rav hisda atsrikh mi-bei ardeshir... selik pirka be-rahamei shemayya de-hiddushei ha-ramban zal";

ff. 16-34v, commentary on chapter 2, incipit, "mi ikka midei... ad she-yoma[r] sheliah b[eit] d[in] ani bi-she'at geirushin ke-matbea she-tikkenu hakhamim ka-nal";

ff. 34v-51, commentary on chapter 3, incipit, "yater mi-kan ama[r] la-lavlar keto[v] ei zeh she-ertseh agaresh pasul... ve-ha-ra[v] mosheh ha-sefaradi moki lah le-matni[ti]n be-di-avad ve-a[f] a[l] ga[v] de-katanei mafrish";

ff. 51-75, commentary on chapter 4, incipit, "mahu de-teim[a] ihu hu de-la tarah... ve-rabbah ama[r] hakhi be-pe[rek] kol ha-get";

ff. 75-92, commentary on chapter 5, incipit, "matni[ti]n u-ketubbat islah be-zibburit... ve-im lo yimtse'u kedei hayyeihem yelekhu ve-ya'asku bi-melakhah aheret";

ff. 92-101v, commentary on chapter 6, incipit, "bi-shelam[a] i itma[r] ippekha... ve-zehu da'at she-ra'ui li-semokh alav be-havvar ha-shemu'ah";

ff. 101v-110, commentary on chapter 7, incipit, "ha de-akshi[nan] eini ve-ha ama[r] rav yehuda[h]... afi[llu] kan hatsi ha-hodesh she-hu 15 le-ahar ve-eino mehuvar";

ff. 110-125v, commentary on chapter 8, incipit, "te[no] ra[bbanan] ve-natan be-yadah mi-[kol] ma[kom]... kevar shanu she-r. aki[va] makhshir u-she[ma] mi[nah] de-edei."

Rabbi Moses ben Nahman, better known as Ramban or Nahmanides (c. 1194-c. 1270), was an enormously prolific and deeply influential Jewish legal scholar, biblical commentator, kabbalist, physician, and poet. Born in Gerona, he studied in his youth with Rabbis Judah ben Yakar and Nathan ben Meir, from whom he received the intellectual heritage of the great Talmudists of both northern France and Provence. In Catalonia, he taught a generation of students who would go on to become leaders of Sephardic Jewry in their own right, including such luminaries as Rabbis Solomon ben Abraham Ibn Adret (c. 1220-1310), Aaron ha-Levi (c. 1235-1303), David Bonafed (13th century), and Isaac ben Abraham of Narbonne (13th century). In July 1263, Nahmanides was forced to participate in a public disputation before the king of Aragon on whether the Talmud supported certain key elements of Catholic doctrine. While he emerged victorious from the debate, the Dominicans eventually succeeded in pressuring the authorities to banish Nahmanides, who fled Iberia in 1267, first to Jerusalem and then to Acre, where he lived out the rest of his days.

One of Ramban's earliest and greatest literary legacies is a collection of what he called *biddushim* (novellae) on numerous tractates of the Babylonian Talmud, in which he took for granted his readers' understanding of the plain meaning of the Talmudic text in order to expound his own and others' novel insights, without necessarily focusing on their practical legal ramifications (Yisraeli, 2020). These "pluralistic" commentaries synthesized the methodologies of France and Spain and would, with time, become standard study material among many Sephardim (Azulai, 1886). They also preserved otherwise-unattested teachings and Jewish legal rulings from some of the greatest authorities of medieval Jewry, including Rabbi Nathan ben Jehiel of Rome (1035-c. 1103), Rashi (1040-1105), Rabbi Abraham ben David of Posquières (c. 1125-1198), and others (Florsheim, 1998).

Nahmanides' novellae to various tractates were printed either as standalone volumes or as part of larger works over the course of four centuries starting in 1523, until they were finally collected under the title *Kol biddushei ha-ramban* and published in Jerusalem in 1928-1929. The novellae to Tractate *Gittin*, the Talmudic treatise that treats the laws governing Jewish divorce, were first issued in Sulzbach in 1762. As with many of the first editions of Ramban's work, this one, too, was riddled with errors and even begins with a lament about missing material: "It is a shame that the commentary by our teacher Ramban, of blessed memory, to the first *mishnah* of Tractate *Gittin* has been lost, for a single leaf was torn from the manuscript exemplar, and only a tiny bit remains on the second leaf, as follows. [...]"

Since at least the times of Rabbi Isaac Canpanton (d. 1463), scholars have recognized the considerable significance of Nahmanides' Talmudic prose: "With respect to the novellae of Ramban, of blessed memory, you must analyze them exactly and try to interpret and narrow all of his language, so that nothing extra – not even one letter – remains, for all of his words are weighed, numbered, and measured" (Canpanton, 1981). In the past eighty-plus years, therefore, several attempts have been made to reedit Nahmanides' novellae on the basis of a larger number of manuscripts. Doing so has filled in gaps in the text, corrected typos, and generally rendered the work more readily comprehensible.

With respect to Tractate *Gittin* specifically, such editions appeared in 1942, 1993, and 1995 (two separate editions). None of these, however, made use of the present codex, despite the fact that it is nearly complete and was copied in relatively close geographical and temporal

proximity to the commentary's origins. (Apparently, only two other complete or nearly-complete manuscripts claiming an earlier date survive.) It may be hoped that future editors will take the evidence of the present manuscript into account when collating improved versions of this foundational work of Talmudic exegesis.

LITERATURE

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ONLINE RESOURCES

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Sulzbach, 1762 edition

<https://www.hebrewbooks.org/49399>

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